

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DWAYNE SINGLETON,

Plaintiff,

-v.-

POLICE OFFICE JOHN DOE and JOHN
DOE POLICE OFFICER,

Defendants.

23 Civ. 701 (KPF)

ORDER

KATHERINE POLK FAILLA, District Judge:

On May 8, 2023, Corporation Counsel for the City of New York filed a letter identifying the police officers involved in the incident underlying this suit. (Dkt. #9). Plaintiff's deadline to file an amended complaint naming those officers as defendants was June 7, 2023. (*See* Dkt. #6). On June 28, 2023, having not received an amended complaint, the Court *sua sponte* extended Plaintiff's deadline to amend to July 26, 2023, to account for the possibility that Plaintiff's file was lost in the mail. (Dkt. #12). The Court advised Plaintiff that failure to file an amended pleading by that deadline would result in dismissal of this case for failure to prosecute. (*Id.*). Two weeks have now passed since that extended deadline, and Plaintiff has not filed an amended complaint naming the officer defendants. Accordingly, this action is hereby DISMISSED without prejudice. *See U.S. ex rel. Drake v. Norden Sys., Inc.*, 375 F.3d 248, 250-51 (2d Cir. 2004); *see also* Fed. R. Civ. P. 41(b) (both recognizing district courts' authority to dismiss actions due to the plaintiff's lack of participation).

The Clerk of Court is directed to terminate all pending motions, adjourn all remaining dates, and close this case. The Clerk of Court is further directed to mail a copy of this Order to Plaintiff's address of record.

SO ORDERED.

Dated: August 9, 2023
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Faila".

KATHERINE POLK FAILLA
United States District Judge